

ORIGINAL

STATE OF SOUTH CAROLINA )  
)  
)  
vs. )  
)  
Charles Anthony Sayles, )  
)  
Defendant. )  
\_\_\_\_\_ )

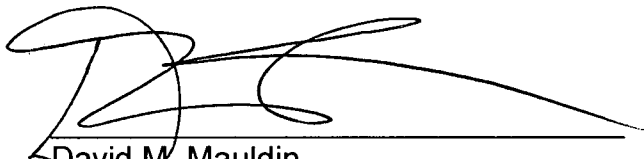
STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Indictment No(s): 2019-GS-32-00028  
2019-GS-32-00030

**RULE 203(B) EXPLANATION**

Pursuant to Rule 203(B)(iv), the undersigned asserts that he does not have a good faith basis to believe that any issues are properly before the Court of Appeals, and the undersigned did not object to the sentence or file a motion to reconsider the sentence. Nevertheless, the undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant because the Sixth Amendment requires counsel to follow the Appellant's request. See *Frazer v. South Carolina*, 430 F.3d 696, 706 (4<sup>th</sup> Cir. 2005) ("A defendant has a right to pursue a direct appeal, even if frivolous, which counsel must assist as 'an active advocate on behalf of his client.'") (quoting *Anders v. California*, 386 U.S. 738, 744 (1967)).

Respectfully submitted,



David M. Mauldin  
Assistant Public Defender  
202 East Main Street  
Lexington, South Carolina  
(803) 785-8873

**RECEIVED**  
APR 19 2019  
SC Court of Appeals

Lexington, South Carolina  
April 11, 2019

WITNESSES

Lexington County Sheriffs Department

Tyler S Watford

Law Enforcement Case #: 18022268

AGM

ARREST WARRANT NUMBER

2018A3210201942

ACTION OF GRAND JURY

**TRUE BILL**

*Anthony H. Seely*  
Foreperson of Grand Jury  
Date: 1-14-19

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2019GS3200028

**The State of South Carolina**

County of Lexington

COURT OF GENERAL SESSIONS

JANUARY TERM 2019

THE STATE

vs.

Charles Anthony Sayles

CDR #: 0179

Indictment for

Possession of Oxycodone

§ 44-53-0370(d)(2)

S.R. Hubbard III, SOLICITOR

RECEIVED  
APR 19 2019  
SC Court of Appeals

A TRUE COPY

*[Signature]*  
Lex. Co. C.C.C.P., G.S. & F.C.

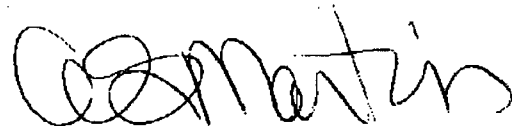
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Possession of Oxycodone  
  
§ 44-53-0370(d)(2)

At a Court of General Sessions, convened on January 2019, the Grand Jurors of Lexington County present upon their oath:

That Charles Anthony Sayles in Lexington County, South Carolina, on or about October 29, 2018, did unlawfully and knowingly or intentionally possess a quantity of Oxycodone, a Schedule II , controlled substance, all in violation of § 44-53-370(d)(2) of the Code of Laws of South Carolina (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SR. ASSISTANT SOLICITOR

2 yrs 1 mo 6 to 5,000

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS.

INDICTMENT/CASE#: 2019GS3200028

Charles Anthony Sayles

A/W#: 2018A3210201942

AKA:
Race: Sex: M Age: 57

Date of Offense: 10/29/2018

DOB: SS#:
Address:
City, State, Z:

S.C. Code §: 44-53-0370(d)(2)

DL#: SID#:
\*CDL Yes No CMV Yes No Hazmat Yes No

CDR Code #: 0179

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO: Drugs / Poss. of other controlled sub. in Sched. I to V - 1st offense (narcotic) - Oxycodone

in violation of § 44-53-0370(d)(2) of the S.C. Code of Laws, bearing CDR Code # 0179

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,

for a determinate term of 1 days/months/years or under the Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of 12 days/months/years and/or payment

of \$; plus costs and assessments as applicable\*; the balance is suspended with probation for 18

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of

probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 1030

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the SCDOC.

2 days

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic

Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms: days/hours Public Service Employment

Set by SCDEPS Obtain GED

Attend Voc. Rehab. or Job Corp.

Recipient: May serve W/E beginning

\*Fine: Lex. Co. C.C.C.P., G.S. & P.C. Substance Abuse Counseling

§ 14-1-206 (Assessments 107.5%) \$

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$

§ 56-5-2995 (DUI Assessment) \$12 \$

§ 56-1-286 (DUI Breath Test) \$25 \$

Proviso (Public Def/Probation) \$500 \$

§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25

§ 14-1-213 (Drug Court Surcharge) \$150 \$ 150

§ 50-21-114 (BUI Breath Test Fee) \$50 \$

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$

3% to County (if paid in installments) \$

TOTAL \$ 2750

Clerk of Court/Deputy Clerk

Court Reporter: \$ 2765

SCCA/217 (04/2018) Sentence Date: 9-8-19

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Handwritten signatures and initials at the bottom of the page.

WITNESSES

Lexington County Sheriffs Department

Tyler S Watford

Law Enforcement Case #: 18022268

AGM

ARREST WARRANT NUMBER

2018A3210201944

ACTION OF GRAND JURY

TRUE BILL

*Cathey K. Seely*  
Foreperson of Grand Jury  
Date: 1-14-19

VERDICT

Foreperson of Petit Jury  
Date:

DOCKET NO. 2019GS3200030

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JANUARY TERM 2019

THE STATE

vs.

Charles Anthony Sayles

CDR #: 0186

Indictment for

Possession With Intent to Distribute  
Marijuana

§ 44-53-0370(b)(2)

S.R. Hubbard III, SOLICITOR

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SC Court of Appeals

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*[Signature]*  
Lex. Co. C.C.C.P., G.S. & F.C.

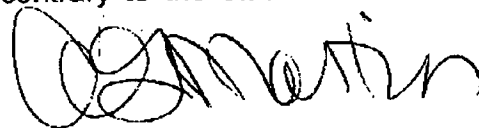
STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )

INDICTMENT FOR  
Possession With Intent to Distribute Marijuana  
§ 44-53-0370(b)(2)

At a Court of General Sessions, convened on January 2019, the Grand Jurors of Lexington County present upon their oath:

That **Charles Anthony Sayles along with codefendants** did in Lexington County, South Carolina on or about October 29, 2018, knowingly and intentionally possess with intent to distribute Marijuana, a controlled substance under the provisions of Section 44-53-110, *et. seq.*, of the SC Code of Laws (1976), as amended, such possession not having been authorized by law, in violation of Section 44-53-370(a)(1)(b)(2) of the SC Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SR. ASSISTANT SOLICITOR

1 yr + 10r \$200 to 1,000

STATE OF SOUTH CAROLINA )  
COUNTY OF Lexington )  
STATE VS. )  
Charles Anthony Sayles )  
AKA: )  
Race: Sex: M Age: 57 )  
DOB: SS#: )  
Address: )  
City, State Zip: )  
DL#: SID#: )

IN THE COURT OF GENERAL SESSIONS  
INDICTMENT/CASE#: 2019GS3200030  
A/W#: 2018A3210201944  
Date of Offense: 10/29/2018  
S.C. Code § : 44-53-0370(b)(2)  
CDR Code #: 0186

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the said indictment comes now the Defendant who was  CONVICTED OF or  PLEADS  
TO: Drugs / Poss. of 28g (1 oz) or less of marijuana or 10g - 2nd or sub. Offense

in violation of § 44-53-0370(d)(4) of the S.C. Code of Laws, bearing CDR Code # 0182  
 NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45  
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. (defendant's initials)  
The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:  
Lynn Comer 107991 Charles Sayles [Signature] 14174  
Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Corrections,  County Detention Center,  
for a determinate term of 1 days/months/years or  under the Youthful Offender Act not to exceed \_\_\_\_\_ years  
and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of 45 days/months/years and/or payment  
of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for 18

months years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of  
probation, which are incorporated by reference.

CONCURRENT or  CONSECUTIVE to sentence on: 0028  
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the SCDOC.  
2 days

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic  
Violence ) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered  
Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_  
Payment Terms: \_\_\_\_\_  
 Set by SCDPPPS [Signature]  
Lex. Ct. C.C.C.P., G.S. & F.C.

PTUP \_\_\_\_\_  
\_\_\_\_\_ days/hours Public Service Employment  
Obtain GED   
Attend Voc. Rehab. or Job Corp.   
May serve W/E beginning \_\_\_\_\_  
Substance Abuse Counseling   
Random Drug/Alcohol testing   
Fine may be pd. in equal, consecutive weekly/monthly  
pmts. of \$ \_\_\_\_\_ beginning \_\_\_\_\_  
\$ \_\_\_\_\_ paid to Public Defender Fund  
Other: \_\_\_\_\_

| *Fine:                                 |         | \$     |
|--|---------|--------|
| § 14-1-206 (Assessments 107.5 %)       |         | \$     |
| § 14-1-211(A)(1) (Conv. Surcharge)     | \$100   | \$ 100 |
| § 14-1-211(A)(2) (DUI Surcharge)       | \$100   | \$     |
| § 56-5-2995 (DUI Assessment)           | \$12    | \$     |
| § 56-1-286 (DUI Breath Test)           | \$25    | \$     |
| Proviso (Public Def/Probation)         | \$500   | \$ 500 |
| § 14-1-212 (Law Enforce. Funding)      | \$25    | \$ 25  |
| § 14-1-213 (Drug Court Surcharge)      | \$150   | \$ 150 |
| § 50-21-114 (BUI Breath Test Fee)      | \$50    | \$     |
| § 56-5-2942(J) (Vehicle Assessment)    | \$40/ea | \$     |
| 3% to County (if paid in installments) |         | \$     |

TOTAL \$ 775.00  
Clerk of Court/ Deputy Clerk Lynn Comer  
Court Reporter: B. Cruppin  
SCCA/217 (04/2018)

Appointed PD or appointed other counsel,  
§ Proviso requires \$500 be paid to Clerk  
during probation and shall be collected before  
any other fees.  
Presiding Judge Walt Jarred  
Judge Code: 2765  
Sentence Date: 4-8-2019

